

EXHIBIT H

IN THE UNITED STATES DISTRICT COURT

FOR THE WESTERN DISTRICT OF WASHINGTON

UNIVERSAL LIFE CHURCH
MONASTERY STOREHOUSE, a
Washington non-profit corporation,
Plaintiff,

v.

MAURICE KING, LEWIS KING,
GLEN YOSHIOKA, DYLAN WALL,
SARA WHITE, and AMERICAN
MARRIAGE MINISTRIES, a Washington
non-profit corporation,

Defendants

AMERICAN MARRIAGE MINISTRIES, a
Washington non-profit corporation,
Counter-Claimant/
Third-Party Plaintiff,

v.

UNIVERSAL LIFE CHURCH
MONASTERY STOREHOUSE, a
Washington non-profit corporation; and
UNIVERSAL LIFE CHURCH
MONASTERY STOREHOUSE, INC., a
Washington non-profit corporation,
Counter-Defendants/
Third-Party Defendants.

Case No. 2:19-CV-00301-RSL

**DEFENDANT-COUNTER-
CLAIMANT/THIRD-PARTY
PLAINTIFF AMERICAN MARRIAGE
MINISTRIES' OBJECTIONS AND
RESPONSE TO PLAINTIFF'S
FRCP 30(b)(6) NOTICE OF
DEPOSITION**

The Honorable Robert S. Lasnik

**DEFENDANT-COUNTER-CLAIMANT/THIRD-PARTY PLAINTIFF
AMERICAN MARRIAGE MINISTRIES' OBJECTIONS AND
RESPONSE TO PLAINTIFF'S FRCP 30(b)(6) NOTICE OF
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Pursuant to FRCP 26 and 30, Defendant-Counter-Claimant/Third-Party Plaintiff American Marriage Ministries (“AMM”) submits the following objections to Plaintiff’s FRCP 30(b)(6) Notice of Deposition of AMM, dated March 6, 2020 (the “Deposition Notice”).

I. GENERAL OBJECTIONS

1. AMM objects to the date and time in the Deposition Notice, which Plaintiff selected without consulting counsel for AMM as to whether it would be possible to produce a witness on that date, and where AMM’s representatives are not available on that date and time. AMM will not produce a witness for deposition on March 23, 2020. AMM’s counsel will work cooperatively with Plaintiff’s counsel to secure a mutually convenient date for the deposition. AMM reiterates here its previously stated objection to any deposition occurring until King County and Washington lift warnings and restrictions related to COVID-19.

2. AMM objects to the location set forth in the Deposition Notice. AMM will make its representative available at the office of Foster Garvey P.C., 1111 Third Ave., Suite 3000, Seattle, WA 98101-3299.

3. AMM objects to the Deposition Notice and to each and every topic of examination listed therein, to the extent it purports to impose on AMM any obligation that is different from or greater than any imposed by the Federal Rules of Civil Procedure, or any other applicable law, rule, or order.

4. AMM objects to the Deposition Notice, and to each and every topic of examination listed therein, to the extent they seek information not in AMM’s possession, custody, or control; or information that is equally available to Plaintiff; or information that could be derived or ascertained by Plaintiff with substantially the same effort that would be required of AMM or from sources that are more convenient, less burdensome, less expensive, or more readily available to Plaintiff than to AMM. As to each topic, AMM’s representative will be prepared to testify, and will testify, only concerning information that is known to AMM. It would be

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unreasonably burdensome and duplicative to require AMM to testify concerning information solely in Plaintiff and other defendants' possession, custody, or control.

5. AMM objects to the Deposition Notice, and to each and every topic of examination listed therein, to the extent they purport to require AMM to conduct anything beyond a reasonable and diligent search for readily accessible information from readily accessible sources where responsive information reasonably would be expected to be found. Any specific topic of examination that seeks to require AMM to exceed such a search is overly broad and unduly burdensome.

6. AMM objects to the Deposition Notice, and to each topic of examination listed therein, to the extent they seek legal conclusions or expert analyses.

7. AMM's General Objections apply to each topic of examination listed in the Deposition Notice and are incorporated by reference in each of the objections set forth below.

II. RESPONSES AND OBJECTIONS TO TOPICS OF EXAMINATION

TOPIC NO. 1. Your knowledge and awareness of Plaintiff, Plaintiff's status as a corporate entity, and any relationship, affiliation, or lack thereof between Plaintiff and Universal Life Church, Inc. or any other "Universal Life Church" entity based in California, including when and how You obtained such knowledge or awareness.

RESPONSE TO TOPIC NO. 1: AMM objects to Topic No. 1 as it is unreasonably overbroad and fails to describe the matter for examination with reasonable particularity as required by FRCP 30(b)(6). AMM also objects to Topic No. 1 as its compound nature makes it unreasonably overbroad. Subject to and without waiving these objections, AMM designates Lewis King to testify about AMM's knowledge, if any, of the relationship between Plaintiff and other "Universal Life Church" entities.

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TOPIC NO. 2. The “preparing, reviewing, and approving [of] the content” of the AMM-v-ULC website, including the identity of each individual involved and the nature of such individual’s involvement.

RESPONSE TO TOPIC NO. 2. AMM objects to this Topic as vague and ambiguous by taking a quote out of context. AMM also objects to this Topic as unreasonably overbroad to the extent it relates to content not related to this litigation. Subject to, and without waiving the foregoing objections, AMM designates Glen Yoshioka as to Topic No. 2 to testify as to the creation of the AMM-v-ULC site that has been identified in pleadings or discovery.

TOPIC NO. 3. The “preparing, reviewing, and approving [of] the content” of the AMM Legal website, including the identity of each individual involved and the nature of such individual’s involvement.

RESPONSE TO TOPIC NO. 3. AMM objects to this Topic as vague and ambiguous by taking a quote out of context. AMM also objects to this Topic as unreasonably overbroad to the extent it relates to content not related to this litigation. Subject to, and without waiving the foregoing objections, AMM designates Glen Yoshioka as to Topic No. 3 to testify as to the creation of the AMM Legal site that has been identified in pleadings or discovery.

TOPIC NO. 4. The basis for Your statement “There are two major organizations when it comes to online ordination, American Marriage Ministries (AMM) and the Universal Life Church Monastery (ULC Monastery),” including any investigation conducted by You into the veracity of this statement and any metric used to determine the existence of “two major organizations.”

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1 **RESPONSE TO TOPIC NO. 4.** AMM objects to this Topic as vague and ambiguous by
 2 taking a quote out of context. AMM also objects to this Topic as unreasonably overbroad to the
 3 extent it relates to content not related to this litigation. Subject to, and without waiving the
 4 foregoing objections, AMM designates Lewis King as to Topic No. 4.

5
 6 **TOPIC NO. 5.** The basis for Your statement “AMM and the ULC Monastery are the two
 7 most established options,” including any investigation conducted by You into the veracity of this
 8 statement and any metric used to determine “the two most established options.”

9 **RESPONSE TO TOPIC NO. 5.** AMM objects to this Topic as vague and ambiguous by
 10 taking a quote out of context. AMM also objects to this Topic as unreasonably overbroad to the
 11 extent it relates to content not related to this litigation. Subject to, and without waiving the
 12 foregoing objections, AMM designates Lewis King as to Topic No. 5.

13
 14 **TOPIC NO. 6.** The basis for Your statement “[s]ince AMM and the ULC Monastery are
 15 the two most established options, we’ve created a side-by-side comparison to help,” including
 16 which “side-by-side comparison” this statement refers to.

17 **RESPONSE TO TOPIC NO. 6.** AMM objects to this Topic as vague and ambiguous by
 18 taking a quote out of context. AMM also objects to this Topic as unreasonably overbroad to the
 19 extent it relates to content not related to this litigation. Subject to, and without waiving the
 20 foregoing objections, AMM designates Lewis King as to Topic No. 6.

21
 22 **TOPIC NO. 7.** Any factual support or reason to believe that Plaintiff “had had [its] IRS
 23 non-profit status revoked.”

24 **RESPONSE TO TOPIC NO. 7.** AMM objects to this Topic as vague and ambiguous by
 25 taking a quote out of context and misrepresenting or mischaracterizing the quote. AMM also

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objects to this Topic as unreasonably overbroad to the extent it relates to content not related to this litigation. AMM is unable to produce a witness to testify to this topic given the mischaracterization embedded into the Topic. .

TOPIC NO. 8. Any factual support or reason to believe Plaintiff “has been embroiled in fraud allegations.”

RESPONSE TO TOPIC NO. 8. AMM objects to this Topic as vague and ambiguous by taking a quote out of context and misrepresenting or mischaracterizing the quote. AMM also objects to this Topic as unreasonably overbroad to the extent it relates to content not related to this litigation. AMM is unable to produce a witness to testify to this topic given the mischaracterization embedded into the Topic.

TOPIC NO. 9. Any factual support or reason to believe Plaintiff “has been in and out of bankruptcy.”

RESPONSE TO TOPIC NO. 9. AMM objects to this Topic as vague and ambiguous by taking a quote out of context and misrepresenting or mischaracterizing the quote. AMM also objects to this Topic as unreasonably overbroad to the extent it relates to content not related to this litigation. AMM is unable to produce a witness to testify to this topic given the mischaracterization embedded into the Topic.

TOPIC NO. 10. The bases for Your statement there are “dozens of rulings against the Universal Life Church for tax fraud, denial of validity of ULC ordinations, and millions of dollars in fines levied against the Universal Life Church.”

RESPONSE TO TOPIC NO. 10. AMM also objects to this Topic as vague and ambiguous by taking a quote out of context and as misrepresenting or mischaracterizing the quote. AMM

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1 also objects to this Topic as not relevant or reasonably calculated to lead to the discovery of
 2 admissible evidence and as unreasonably overbroad to the extent it relates to content not related
 3 to this litigation.

4
 5 **TOPIC NO. 11.** Any factual support or reason to believe there are “dozens of rulings
 6 against [Plaintiff] for tax fraud, denial of Validity of [Plaintiff’s] ordinations, and millions of
 7 dollars in fines levied against [Plaintiff],” including any investigation conducted by You into the
 8 veracity of such claim.

9 **RESPONSE TO TOPIC NO. 11.** AMM objects to this Topic as vague and ambiguous by
 10 taking a quote out of context and misrepresenting or mischaracterizing the quote. AMM also
 11 objects to this Topic as unreasonably overbroad to the extent it relates to content not related to
 12 this litigation. AMM is unable to produce a witness to testify to this topic given the
 13 mischaracterization embedded into the Topic.

14
 15 **TOPIC NO. 12.** The basis for Your statement “the Universal Life Church [has] hundreds
 16 of offshoots.”

17 **RESPONSE TO TOPIC NO. 12.** AMM objects to this Topic as vague and ambiguous by
 18 taking a quote out of context. AMM also objects to this Topic as not relevant or reasonably
 19 calculated to lead to the discovery of admissible evidence and as unreasonably overbroad to the
 20 extent it relates to content not related to this litigation.

21
 22 **TOPIC NO. 13.** Any factual support or reason to believe Plaintiff has “hundreds of
 23 offshoots.”

24 **RESPONSE TO TOPIC NO. 13.** AMM objects to this Topic as vague and ambiguous by
 25 taking a quote out of context. AMM also objects to this Topic as unreasonably overbroad to the

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1 extent it relates to content not related to this litigation. AMM is unable to produce a witness to
 2 testify to this topic given the ambiguity and mischaracterization embedded into the Topic

3
 4 **TOPIC NO. 14.** The basis for Your statement “to the best of our knowledge the federal
 5 government does not recognize the ULC Monastery as a 501(c)(3) church,” including any
 6 investigation conducted by You into the veracity of such claim.

7 **RESPONSE TO TOPIC NO. 14.** AMM objects to this Topic as vague and ambiguous by
 8 taking a quote out of context. AMM also objects to this Topic as unreasonably overbroad to the
 9 extent it relates to content not related to this litigation. Subject to, and without waiving the
 10 foregoing objections, AMM designates Lewis King as to Topic No. 14.

11
 12 **TOPIC NO. 15.** The basis for Your statement “the federal government recognizes AMM
 13 as a 501(c)(3) tax exempt church.”

14 **RESPONSE TO TOPIC NO. 15.** AMM objects to this Topic as vague and ambiguous by
 15 taking a quote out of context. AMM also objects to this Topic as unreasonably overbroad to the
 16 extent it relates to content not related to this litigation. Subject to, and without waiving the
 17 foregoing objections, AMM designates Lewis King as to Topic No. 15.

18
 19 **TOPIC NO. 16.** The basis for Your statement “American Marriage Ministries...is a
 20 Federally Recognized 501(c)(3) Charitable Organization.”

21 **RESPONSE TO TOPIC NO. 16.** AMM objects to Topic No. 16 as it appears to be
 22 duplicative of Topic No. 15. AMM objects to this Topic as vague and ambiguous by taking a
 23 quote out of context. AMM also objects to this Topic as unreasonably overbroad to the extent it
 24 relates to content not related to this litigation. Subject to, and without waiving the foregoing
 25 objections, AMM designates Lewis King on the topic of AMM’s 501(c)(3) status with the IRS.

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1 **TOPIC NO. 17.** The basis for Your statement AMM is an “IRS 501(c)(3) Certified Non-
2 Profit Ministry.”

3 **RESPONSE TO TOPIC NO. 17.** AMM objects to Topic No. 17 as it appears to be
4 duplicative of Topic Nos. 15 and 16. AMM objects to this Topic as vague and ambiguous by
5 taking a quote out of context. AMM also objects to this Topic as unreasonably overbroad to the
6 extent it relates to content not related to this litigation. Subject to, and without waiving the
7 foregoing objections, AMM, designates Lewis King on the topic of AMM’s 501(c)(3) status
8 with the IRS.

9
10 **TOPIC NO. 18.** The basis for Your statement, “AMM is a federally recognized 501(c)(3)
11 charitable organization.”

12 **RESPONSE TO TOPIC NO. 18.** AMM objects to Topic No. 18 as it appears to be
13 duplicative of Topic Nos. 15, 16, and 17. AMM objects to this Topic as vague and ambiguous
14 by taking a quote out of context. AMM also objects to this Topic as unreasonably overbroad to
15 the extent it relates to content not related to this litigation. Subject to, and without waiving the
16 foregoing objections, AMM designates Lewis King on the topic of AMM’s 501(c)(3) status with
17 the IRS.

18
19 **TOPIC NO. 19.** The basis for Your statement, “The Universal Life Church (Monastery)
20 has not been approved by the Internal Revenue Service as a tax-exempt, charitable organization
21 with 501(c)(3) recognition,” including any investigation conducted by You into the veracity of
22 this claim.

23 **RESPONSE TO TOPIC NO. 19.** AMM objects to Topic No. 19 as it appears to be
24 duplicative of Topic Nos. 14 and 7. AMM objects to this Topic as vague and ambiguous by
25 taking a quote out of context. AMM also objects to this Topic as unreasonably overbroad to the

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1 extent it relates to content not related to this litigation. Subject to, and without waiving the
2 foregoing objections, , AMM designates Lewis King as to Topic No. 19.

3
4 **TOPIC NO. 20.** The basis for Your statement the AMM-v-ULC “website is run by
5 ministers that are affiliated with American Marriage Ministries.”

6 **RESPONSE TO TOPIC NO. 20.** AMM objects to this Topic as vague and ambiguous by
7 taking a quote out of context. AMM also objects to this Topic as unreasonably overbroad to the
8 extent it relates to content not related to this litigation. Subject to, and without waiving the
9 foregoing objections, AMM designates Glen Yoshioka as to Topic No. 20.

10
11 **TOPIC NO. 21.** The basis for Your statement the AMM Legal Website “is run by ministers
12 that are affiliated with American Marriage Ministries.”

13 **RESPONSE TO TOPIC NO. 21.** AMM objects to this Topic as vague and ambiguous by
14 taking a quote out of context. AMM also objects to this Topic as unreasonably overbroad to the
15 extent it relates to content not related to this litigation. Subject to, and without waiving the
16 foregoing objections, AMM designates Glen Yoshioka as to Topic No. 21.

17
18 **TOPIC NO. 22.** The factual support for Your statement “American Marriage Ministries
19 has worked with the Clark County Clerk’s Office for years, and AMM ministers perform
20 marriages in Las Vegas every day.”

21 **RESPONSE TO TOPIC NO. 22.** AMM objects to Topic No. 22 as not relevant to the claims,
22 counterclaims or defenses in this case and not reasonably calculated to lead to the discovery of
23 admissible evidence.

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1 **TOPIC NO. 23.** The factual support for Your statement, “AMM appears” on “Clark
2 County’s official list of recognized churches.”

3 **RESPONSE TO TOPIC NO. 23.** AMM objects to the Topic No. 23 as not relevant to the
4 claims, counterclaims or defenses in this case and not reasonably calculated to lead to the
5 discovery of admissible evidence.

6
7 **TOPIC NO. 24.** Your theological doctrine.

8 **RESPONSE TO TOPIC NO. 24.** AMM objects to Topic No. 24 to the extent it is vague and
9 overbroad as to what aspect of AMM’s theology is subject to inquiry. AMM also objects to this
10 Topic as unreasonably overbroad to the extent it relates to content not related to this litigation.

11
12 **TOPIC NO. 25.** The dates of Your registration and control of the domain
13 “americanmarriageministries.com” and the manner in which You used the
14 americanmarriageministries.com, including any content published via such domain name.

15 **RESPONSE TO TOPIC NO. 25.** AMM objects to Topic No. 25 to the extent it is vague and
16 unclear what “control” refers to. AMM further objects that Topic No. 25 is unreasonably
17 overbroad and unduly burdensome with respect to all content published on the
18 “americanmarriageministries.com” website. Subject to and without waiving the foregoing
19 objections, AMM designates Glen Yoshioka as to Topic No. 25.

20
21 **TOPIC NO. 26.** Your past and present policies and procedures regarding management,
22 registration, and renewing registrations for domains You have registered or control.

23 **RESPONSE TO TOPIC NO. 26.** AMM objects to Topic No. 26 to the extent it is vague and
24 unclear what “management” refers to. AMM also objects to this Topic as unreasonably overbroad
25 to the extent it relates to content not related to this litigation.

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1 **TOPIC NO. 27.** When and how You first learned that someone other than You had owned,
2 controlled, or registered the domain “americanmarriageministries.com.”

3 **RESPONSE TO TOPIC NO. 27.** AMM designates Glen Yoshioka as to Topic No. 27.
4

5 **TOPIC NO. 28.** Any actions You undertook to determine or identify the registrant or
6 operator of the americanmarriageministries.com domain name or associated website, the dates
7 of such actions, the identity of all individuals involved in such actions, and the nature of such
8 individuals’ involvement.

9 **RESPONSE TO TOPIC NO. 28.** AMM objects to Topic No. 28 to the extent it is vague and
10 unclear what “associated website” refers to or what “nature of such individuals’ involvement”
11 refers to. AMM also objects to Topic No. 28 as the compound nature makes it unreasonably
12 overbroad. Notwithstanding, and subject to that objection, AMM designates Lewis King as to
13 Topic No. 28.
14

15 **TOPIC NO. 29.** Any actions You undertook to monitor the content or use of the
16 americanmarriageministries.com domain name or associated website, the dates of such actions,
17 the identity of all individuals involved in such actions, and the nature of such individuals’
18 involvement.

19 **RESPONSE TO TOPIC NO. 29.** AMM objects to Topic No. 29 to the extent it is vague and
20 unclear what “monitor” refers to, and to the extent it is vague and unclear what “associated
21 website” refers to. Notwithstanding, and subject to that objection, AMM designates Lewis King
22 as to Topic No. 29.
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TOPIC NO. 30. Any actions You undertook to stop, deter, or obtain some remedy for the actions underlying Your counterclaims against Plaintiff, the dates of such actions, the identity of all individuals involved in such actions, and the nature of such individuals' involvement.

RESPONSE TO TOPIC NO. 30. AMM objects to Topic No. 30 to the extent it is vague and unclear what "actions underlying Your counterclaims" refers to. *See State Farm Mutual Auto Ins. Co., v. New Horizons, Inc.*, 254 FRD 227 (E.D. Pa.) (holding "matters related to this litigation" overbroad FRCP 30(b)(6) topic). AMM also objects to Topic No. 30 as unreasonably overbroad and failing to describe the matter for examination with reasonable particularity as required by FRCP 30(b)(6). Discovery is ongoing, and AMM may not be in full possession of the factual details of all of ULC's actions until discovery is completed, particularly because ULC has declined to produce documents and information requested by AMM.

TOPIC NO. 31. Your past and present decisions to, or not to, address or take action against any of Plaintiff's alleged actions underlying Your claims against Plaintiff, the dates of such decisions, the basis and rationale for such decisions, the identity of all individuals involved in such decisions, and the nature of such individuals' involvement.

RESPONSE TO TOPIC NO. 31. AMM objects to Topic No. 31 to the extent it is vague and unclear what "actions underlying Your claims" refers to. *See State Farm Mutual Auto Ins. Co., v. New Horizons, Inc.*, 254 FRD 227 (E.D. Pa.) (holding "matters related to this litigation" overbroad FRCP 30(b)(6) topic). AMM also objects to Topic No. 30 as unreasonably overbroad and failing to describe the matter for examination with reasonable particularity as required by FRCP 30(b)(6). AMM may not be in full possession of the factual details of all of ULC's action until discovery is completed, particularly because ULC has declined to produce documents and information requested by AMM.

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1 **TOPIC NO. 32.** When and how You first learned any facts to support Your contention that
2 on or about May 22, 2013, the americanmarriageministries.com website redirected visitors to one
3 of Plaintiff's websites, specifically, <https://www.themonastery.org>.

4 **RESPONSE TO TOPIC NO. 32.** AMM designates Glen Yoshioka as to Topic No. 32.
5

6 **TOPIC NO. 33.** When and how You first learned any facts to support Your contention that
7 on or about May 17, 2014, the website at americanmarriageministries.com stated "Welcome to
8 the American Marriage Ministries, a proud affiliate of the Universal Life Church."

9 **RESPONSE TO TOPIC NO. 33.** AMM designates Glen Yoshioka as to Topic No. 33.
10

11 **TOPIC NO. 34.** When and how You first learned any facts to support Your contention that
12 on November 17, 2014, the website at "americanmarriageministries.com" stated "Legally Invalid
13 American Marriage Ministries Ordination," and "This webpage exists to inform would-be
14 ministers that ordinations performed by the American Marriage Ministries...are NOT considered
15 legally valid."

16 **RESPONSE TO TOPIC NO. 34.** AMM designates Glen Yoshioka as to Topic No. 34.
17

18 **TOPIC NO. 35.** When and how You first learned any facts to support Your contention that
19 on November 26, 2018, and for at least the two years prior, the website at
20 "americanmarriageministries.com" stated "American Marriage Ministries ordinations...may not
21 enable would-be ministers to perform legally recognized marriages."

22 **RESPONSE TO TOPIC NO. 35.** AMM designates Glen Yoshioka as to Topic No. 35.
23

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TOPIC NO. 36. The basis and support for Your contention “AMERICAN MARRIAGE MINISTRIES has come to be associated with the services provided by AMM,” including Your claim of acquired distinctiveness under Section 2(f) of the Lanham Act and any evidence related to such distinctiveness.

RESPONSE TO TOPIC NO. 36. AMM objects to Topic No. 36 to the extent it seeks a designee to provide a legal analysis or legal conclusion as to distinctiveness under the Lanham Act, which is not an appropriate use of deposition under the Federal Rules of Civil Procedure. AMM does not intend to designate a witness to testify as to its claim, as distinct from the facts underlying the claim. Notwithstanding, and subject to that objection AMM designates Lewis King to testify as to the basis for AMM’s contention that “American Marriage Ministries has come to be associated with the services provided by AMM.”

TOPIC NO. 37. Your application to federally register the words “AMERICAN MARRIAGE MINISTRIES” as a trademark, including all filings and statements communicated to the U.S. Patent & Trademark Office in support thereof.

RESPONSE TO TOPIC NO. 37. AMM objects to Topic No. 37 as unreasonably overbroad and failing to describe the matter for examination with reasonable particularity as required by FRCP 30(b)(6) to the extent it includes “all filings and statements communicated to the US Patent & Trademark Office.” AMM also objects that Topic No. 37 is vague and ambiguous regarding what about AMM’s application is meant to be designated. Topic No. 37 is also objectionable to the extent it seeks a designee to provide a legal analysis or legal conclusion as to AMM’s trademark application. Notwithstanding, and subject to that objection AMM designates Lewis King to testify as to the existence of AMM’s trademark application.

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**DEFENDANT-COUNTER-CLAIMANT/THIRD-PARTY PLAINTIFF
AMERICAN MARRIAGE MINISTRIES’ OBJECTIONS AND
RESPONSE TO PLAINTIFF’S FRCP 30(b)(6) NOTICE OF
DEPOSITION - 15**

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1 **TOPIC NO. 38.** Your disclaimer of any exclusive rights to the words “marriage ministries”
2 apart from the claimed trademark “AMERICAN MARRIAGE MINISTRIES.”

3 **RESPONSE TO TOPIC NO. 38.** AMM objects to Topic No. 38 to the extent it is vague and
4 unclear what “your disclaimer” refers to. Topic No. 38 is also objectionable to the extent it seeks
5 a designee to provide a legal analysis or legal conclusion as to AMM’s trademark application.

6
7 **TOPIC NO. 39.** Your knowledge of the “memorandum order issued by Senior Judge Curtis
8 E. von Kann of the D.C. Superior Court dated May 25, 2012” and Your contention the
9 “memorandum order” is “now moot.”

10 **RESPONSE TO TOPIC NO. 39.** AMM objects to Topic No. 39 to the extent it calls for a
11 legal analysis or legal conclusion as to the effect of the memorandum order (“the Order”) issued
12 by Senior Judge Curtis E. von Kann of the DC Superior Court dated May 25, 2012. AMM objects
13 to this Topic as vague and ambiguous by taking a quote out of context. Subject to and without
14 waiving the foregoing objections, AMM designates Lewis King to testify as to AMM’s
15 knowledge of the Order.

16
17 **TOPIC NO. 40.** The bases for Your denial of Requests for Admission 16 through 19.

18 **RESPONSE TO TOPIC NO. 40.** AMM objects to Topic No. 40 to the extent it calls for a
19 legal analysis of Requests for Admissions propounded by ULC. AMM further objects to this
20 topic to the extent it is duplicative of Topic No. 39. Please see AMM’s response to Topic No. 39.

21
22 **TOPIC NO. 41.** The basis for Your contention “AMM ministers are authorized to perform
23 marriages in all 50 states,” including any investigation by You regarding the veracity of this
24 contention.

25 ///

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RESPONSE TO TOPIC NO. 41. AMM objects to Topic No. 41 as unreasonably overbroad to the extent it purports to include “any investigation”. AMM objects to this Topic as vague and ambiguous by taking a quote out of context. AMM also objects to this Topic as unreasonably overbroad to the extent it relates to content not related to this litigation. Subject to, and without waiving the foregoing objections, AMM designates Lewis King to testify as to the basis for AMM’s contention that its ministers are authorized to perform marriages in all 50 states.

TOPIC NO. 42. The damages You are seeking, including the components thereof and how each component was calculated or derived.

RESPONSE TO TOPIC NO. 42. AMM objects to Topic No. 42 as premature and calling for a legal analysis and/or conclusion. Discovery remains ongoing in this matter, and AMM has not yet had the opportunity to fully investigate and/or calculate its damages, particularly since ULC has repeatedly refused to produce requested relevant evidence and information. AMM also objects to Topic No. 42 to the extent it asks AMM to provide expert testimony. AMM also objects to Topic No. 42 as vague and ambiguous regarding what about its damages Plaintiff desires testimony on. Subject to, and without waiving the foregoing objections, AMM designates Lewis King to testify as to the type of damages claimed by AMM.

TOPIC NO. 43. The facts and support for Your statement You “have been injured reputationally,” by Plaintiff’s alleged actions as well as how You ascertained and measured such injury.

RESPONSE TO TOPIC NO. 43. AMM objects to Topic No. 43 as premature and calling for a legal analysis and/or conclusion as to the measure of injury claimed by AMM. Discovery remains ongoing in this matter, and AMM has not yet had the opportunity to fully investigate and/or calculate its damages, particularly since ULC has repeatedly refused to produce requested

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relevant evidence and information. AMM objects to this Topic as vague and ambiguous by taking a quote out of context. AMM also objects to Topic No. 43 to the extent it asks AMM to provide expert testimony. Subject to and without waiving the foregoing objections, AMM designates Lewis King to testify as to the factual basis of AMM's claim for damages, based on information presently available to and specifically known to AMM at the current time.

TOPIC NO. 44. All "lost business" You contend You lost as a result of Plaintiff's alleged actions, as well as how You ascertained and measured such lost business.

RESPONSE TO TOPIC NO. 44. AMM objects to Topic No. 44 as premature and calling for a legal analysis and/or conclusion. Discovery remains ongoing in this matter, and AMM has not yet had the opportunity to fully investigate and/or calculate its damages, including lost business, particularly since ULC has repeatedly refused to produce requested relevant evidence and information. AMM objects to this Topic as vague and ambiguous by taking a quote out of context. AMM also objects to Topic No. 43 to the extent it asks AMM to provide expert testimony. Subject to and without waiving the foregoing objections, AMM designates Lewis King to testify as to the factual basis of AMM's claim for damages based on information presently available to and specifically known to AMM at the current time.

TOPIC NO. 45. Your policies, practices, and procedures as to the creating and maintaining accounting and financial records, and what records and documents are created and maintained.

RESPONSE TO TOPIC NO. 45. AMM objects to Topic No. 45 as unreasonably overbroad to the extent it purports to address "accounting and financial records" throughout an unspecified time period. This topic fails to describe the matter for examination with reasonable particularity as required by FRCP 30(b)(6). Notwithstanding and subject to this objection, AMM designates Lewis King to testify generally as to the existence of maintenance of AMM's financial records.

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TOPIC NO. 46. The support and basis for Your contention that “prospective customers may be dissuaded by [Plaintiff’s] statement about AMM...from using AMM’s services,” Including any investigation by You into the veracity of such contention.

RESPONSE TO TOPIC NO. 46. AMM objects to Topic No. 46 as vague as to which of Plaintiff’s statements about AMM is referenced. AMM objects to this Topic as vague and ambiguous by taking a quote out of context. AMM further objects to the extent that “any investigation” would include a request for attorney-client privileged communications or attorney work product. AMM further objects to the extent that discovery is ongoing and additional documents or information regarding prospective AMM customers reactions to statements made by ULC about AMM may be uncovered. Notwithstanding and subject to this objection, AMM designates Lewis King to testify as to Topic No. 46.

TOPIC NO. 47. Your past and present policies, procedures, practices, and abilities to track or identify the visitors to Your websites, including the number of such visitors, the sources and channels through which such visitors visited Your websites, and the activity of such visitors on Your websites, and including the identity of each individual involved in such tracking and identification and the nature of such individual’s involvement.

RESPONSE TO TOPIC NO. 47. AMM objects to Topic No. 47 as unreasonably overbroad to the extent it purports to include all websites over an unspecified time period. This topic fails to describe the matter for examination with reasonable particularity as required by FRCP 30(b)(6). This topic is also objectionable to the extent it is vague and unclear what “channels” refers to. Notwithstanding and subject to this objection, AMM designates Glen Yoshioka to testify generally as to AMM’s ability to track visitors to AMM’s website.

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TOPIC NO. 48. Your past and present policies, procedures, practices, and abilities to track or identify the number of ministers or officiants ordained by You, including the identity of each individual involved in such tracking and identification and the nature of such individual's involvement.

RESPONSE TO TOPIC NO. 48. AMM objects to topic 48 as vague as to the time period for calculating the number of ministers or officiants ordained. Notwithstanding and subject to this objection, AMM designates Lewis King to testify as to present and past policies and procedures regarding tracking the number of AMM ministers or officiants ordained.

TOPIC NO. 49. Any evaluations, studies, surveys, or analyses You performed, or which You are aware of, as to whether any individual was, or could have been or could be, deceived, confused, or misled by any statement You attribute to ULC Monastery.

RESPONSE TO TOPIC NO. 49. AMM objects to Topic No. 49 to the extent it calls for a legal and/or expert analysis. Subject to and without waiving this objection, AMM designates Lewis King to testify as to the nature of ULC's misleading statements.

TOPIC NO. 50. All efforts by AMM Directors and personnel after July 3, 2019 to locate and identify documents potentially responsive to Plaintiff's First Interrogatories and Requests for Production.

RESPONSE TO TOPIC NO. 50. AMM objects to Topic No. .50 to the extent it calls for privileged communications. Notwithstanding and subject to this objection, AMM designates Lewis King to testify as to AMM's document collection process as it relates to this litigation.

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1 **TOPIC NO. 51.** Any terms, words, or phrases used or understood by Your or the general
2 public to refer to AMM.

3 **RESPONSE TO TOPIC NO. 51.** AMM objects to Topic No. 51 as it fails to describe the
4 matter for examination with reasonable particularity as required by FRCP 30(b)(6). AMM objects
5 to this Topic as unreasonably overbroad to the extent it relates to claims not at issue in this case.
6 As written, this topic also appears to be seeking information that is not reasonably within the
7 knowledge or control of AMM. Without further description, AMM is unable to reasonably
8 designate a representative to testify on this topic.

9 DATED this 20th day of March 2020.

10 BETTS, PATTERSON & MINES, P.S.

11 By: /s/ Anne Cohen

12 Anne Cohen, WSBA No.: 41183

13 Sheeba Roberts, *Pro Hac Vice*

14 Email: acohen@bpmlaw.com

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20 Seattle, WA 98101-3292

21 Of Attorneys for Maurice King, Lewis King,
22 Glen Yoshioka, Dylan Wall, Sarah White, and
23 American Marriage Ministries
24
25

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CERTIFICATE OF SERVICE

I hereby certify that on March 20, 2020, I served a copy of **DEFENDANT-COUNTER-CLAIMANT/THIRD-PARTY PLAINTIFF AMERICAN MARRIAGE MINISTRIES' OBJECTIONS AND RESPONSE TO PLAINTIFF'S FRCP 30(b)(6) NOTICE OF DEPOSITION** on:

Michael P. Matesky, II Matesky Law LLC 1001 4 th Ave., Suite 3200 Seattle, WA 98154 Fax: 206-701-0332 Email: litigation@mateskylaw.com <i>Of Attorneys for Plaintiff</i>	Michael B. Galletch Puget Sound Business & Litigation PLLC 411 University Street, Suite 1200 Seattle, WA 98101 Fax: --- Email: mike@psbizlit.com <i>Of Attorneys for Plaintiff</i>
Kelly Ann Mennemeier Nancy V. Stephens Benjamin J. Hodges Foster Garvey P.C. 1111 Third Ave., Suite 3000 Seattle, WA 98101-3299 Fax: 206-447-9700 Email: Kelly.mennemeier@foster.com Nancy.stephens@foster.com Ben.hodges@foster.com <i>Of Attorneys for American Marriage Ministries</i>	

_____ by mailing to each of the foregoing a copy thereof, placed in a sealed envelope addressed as listed above and deposited in the United States mail at Portland, Oregon, and that postage thereon was fully prepaid.

_____ by facsimile transmission to the number shown above.

 X by additional e-service through the E-Filing system, if party was registered.

 X by courtesy email to the email addresses shown above.

/s/ Carrie J. Cook

Carrie J. Cook, CP
Legal Assistant/Certified Paralegal

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